

23026
U.S. PTO
012904SUBSTITUTE for PTO/SB/05 (08-03) Utility Patent Application Transmittal
Approved for use through 07/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE10/07/04
012904

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	19634YDACA
First Inventor or Application Identifier	
Title	Bruce L. Daugherty
Express Mail Label No.	
EV 321984100 US	

APPLICATION ELEMENTS <i>See MPEP chapter 600 concerning utility patent application contents.</i>	ADDRESS TO: Mail Stop Patent Application Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450
1. <input checked="" type="checkbox"/> Fee Transmittal Form <i>(Submit an original, and a duplicate for fee processing)</i>	6. Nucleotide and/or Amino Acid Sequence Submission <i>(if applicable, all necessary)</i>
2. <input checked="" type="checkbox"/> Specification [Total Pages 46]	a. <input type="checkbox"/> Computer Readable Form (CRF)
3. <input type="checkbox"/> Drawing(s) (35 USC 113) [Total Sheets]	b. <input type="checkbox"/> Specification Sequence Listing on: i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or ii. <input type="checkbox"/> paper
	c. <input type="checkbox"/> Statements verifying identity of above copies
ACCOMPANYING APPLICATION PARTS	
7. <input type="checkbox"/> Assignment papers (cover sheet & document(s))	
8. <input type="checkbox"/> 37 CFR 3.73(b) Statement <i>(when there is an assignee)</i>	
9. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449	
10. <input checked="" type="checkbox"/> Preliminary Amendment	
11. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) <i>(Should be specifically itemized)</i>	
12. <input type="checkbox"/> Certified Copy of Priority Document(s) <i>(if foreign priority is claimed)</i>	
13. <input type="checkbox"/> Other: _____	

14. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

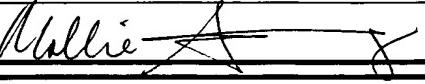
Continuation Divisional Continuation-in-part (CIP) of prior application No. 09 /922,895

Prior application information: Examinee: Prima Maria Mertz Group/Art Unit: 1646

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference.

15. CORRESPONDENCE ADDRESS

<input checked="" type="checkbox"/> Customer Number	Customer No. 000210				
NAME	Mollie M. Yang				
ADDRESS	Merck & Co., Inc., P. O. Box 2000 - Patent Dept., RY60-30				
CITY	Rahway	STATE	NJ	ZIP CODE	07065-0907
COUNTRY	USA	TELEPHONE	732-594-6343	FAX	732-594-4720

Name	Mollie M. Yang	Registration No. (Attorney/Agent)	32,718	
Signature			Date	1/29/2004

EXPRESS MAIL CERTIFICATE

DATE OF DEPOSIT January 29, 2004

EXPRESS MAIL NO. EV 321984100 US

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS EXPRESS MAIL "POST OFFICE TO ADDRESSEE" ON THE ABOVE DATE IN AN ENVELOPE ADDRESSED TO COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450.

MAILED BY Lou Scopese

DATE January 29, 2004

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 19634YDACA

First Inventor or Application Identifier Bruce L. Daugherty

Title EOSINOPHIL EOTAXIN RECEPTOR

Express Mail Label No. EV 321984100 US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

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ii. <input type="checkbox"/> paper |
| | c. <input type="checkbox"/> Statements verifying identity of above copies |
| 4. Oath or Declaration | |
| a. <input type="checkbox"/> Newly executed (original or copy) | |
| b. <input checked="" type="checkbox"/> Copy from a prior application (37 CFR 1.63(d))
<i>(for continuation/divisional with Box 14 completed)</i> | |
| i. <input type="checkbox"/> <u>DELETION OF INVENTOR(S)</u>

Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33 (b). | |
| 5. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76 | |

ACCOMPANYING APPLICATION PARTS

- | | | |
|--|--|--|
| 7. <input type="checkbox"/> Assignment papers (cover sheet & document(s)) | 8. <input type="checkbox"/> 37 CFR 3.73(b) Statement
<i>(when there is an assignee)</i> | <input type="checkbox"/> Power of Attorney |
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COUNTRY	USA	TELEPHONE	732-594-6343	FAX	732-594-4720

Name	Mollie M. Yang	Registration No. (Attorney/Agent)	32,718
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Deposit Acct. 13-2755
MERCK & CO., INC.
Our Case Docket No. 19634YDACA

Sir:

Transmitted herewith for filing under 37 C.F.R. §1.53(b) is the patent application of Inventor(s):
Bruce L. Daugherty, Julie A. Demartino, Salvatore J. Siciliano and Martin S. Springer

For: EOSINOPHIL EOTAXIN RECEPTOR

For	Number Filed	Number Extra	Rate	Basic Fee \$770
Total Claims	14 - 20 =	0 X	\$18	= \$0
Independent Claims	3 - 3 =	0 X	\$86	= \$0
Multiple Dependent Claims*			\$290	=
* Add this fee if application contains any multiple dependent claims, regardless of number.			TOTAL FILING FEE →	\$770

Please charge my Deposit Account No. 13-2755 in the amount of \$ 770. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Account No. 13-2755. Duplicate copy of this sheet is enclosed.

Under the provisions of 37 C.F.R. §1.53, this application is being filed without the declaration of each inventor.

Respectfully,

By: Mollie M. Yang

Attorney For Applicant(s)

Reg. No. 32,718

MERCK & CO., INC.

Patent Dept., RY60-30

P.O. Box 2000

Rahway, N.J. 07065-0907

(732) 594-6343

Date: January 29, 2004

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DATE OF DEPOSIT	<u>January 29, 2004</u>
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MAILED BY <u>You - Schepisi</u>	DATE <u>January 29, 2004</u>

IN DUPLICATE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Burce L. Daugherty, et al.

Serial No.: 09/922,895

Filed: August 6, 2001

Group Art Unit: 1646

Examiner: Prema Maria Mertz

For: EOSINOPHIL EOTAXIN RECEPTOR

PETITION FOR EXTENSION OF TIME UNDER § 1.136(a)

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Applicant(s) hereby petition(s) to the Commissioner for Patents for an extension of the shortened statutory period for replying to the outstanding Office Action dated 07/29/2003 in the above-identified application. A response to said Action is (is not) attached hereto.

Please charge the following fee to Deposit Account No. 13-2755:

- \$110 -- First Month Extension
 \$420 -- Second Month Extension
 \$950 -- Third Month Extension
 \$1480 -- Fourth Month Extension
 \$2010 -- Fifth Month Extension

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account 13-2755. Duplicate copies of this sheet are enclosed.

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ALEXANDRIA, VIRGINIA 22313-1450.
MAILED BY Lou Scopisi
DATE 1-29-04

Respectfully,

By: Mollie M. Yang

Attorney _____ For Applicant(s)

Reg. No. 32,718

MERCK & CO., INC.

Patent Dept., RY60-30

P.O. Box 2000

Rahway, N.J. 07065-0907

(732) 594-6343

Date: January 29, 2004

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